

Attny Docket No. S-0910-A (formerly RA-1728)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR: ERNEST L. JOHNSON

APPLN. NO.: 10/715,584

FILED: NOVEMBER 18, 2003

FOR: AUTOMATIC HAIR WASHING DEVICE

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)
) **GROUP ART UNIT: 3751**
)
) **EXAMINER:**
) **FETSUGA, ROBERT M.**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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Sir:

PETITION FOR RETURN OF FEES PAID BY MISTAKE

Applicant hereby requests return of fees paid by mistake pursuant to 35 U.S.C. 42(d) and 37 C.F.R. 1.26. Due to extenuating circumstances surrounding the death of the previous Attorney of Record in this case, Applicant submitted a Petition For Extension Of Time Under 37 C.F.R. 1.136(a) (PTO/SB/22) together with his check for \$1080 for an extension of five months. In fact, a Reply to the Office Action mailed on March 7, 2005, which is being filed concurrently herewith, only requires payment of a fee of \$60 for a one month extension of time. Applicant validly claims Small Entity status. Thus, Applicant has paid a fee by mistake, since there is no necessity for petition of time for the additional months totaling \$ 1,020.

Applicant requests return of the fees paid by mistake by crediting Deposit Account 502768 with \$1,020.00.

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A copy of the Image File Wrapper image of Applicant's PTO/SB/22 form as received in the Patent Office on June 7, 2005 is attached for the Director's convenience.

Respectfully submitted,

Brenda C. Harvey

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CERTIFICATE OF TRANSMISSION

I hereby certify that, in the course of ordinary business, this paper (along with any referred to as being attached or enclosed) is being transmitted on the date indicated below to the United States Patent and Trademark Office via facsimile number 703-872-9306.

July 7, 2005
Date

Gina R. Merritt
Gina R. Merritt